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09/740,299	12/19/2000	Yrjo Keranen	4925-95	7221

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Michael C. Stuart, Esq.  
Cohen, Pontani, Lieberman & Pavane  
Suite 1210  
551 Fifth Avenue  
New York, NY 10176

EXAMINER

MEHRPOUR, NAGHMEH

ART UNIT	PAPER NUMBER
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2686

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DATE MAILED: 02/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/740,299

Applicant(s)

KERANEN

Examiner

Naghmeh Mehrpour

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### Information Disclosure Statement

1. The information disclosure statement filed reference listed in the information Disclosure Submitted on 05/07/01 have been considered by the examiner (see attached PTO-1449).

### *Claim Objections*

2. Claim 13, is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim 1. Applicant is required to cancel the claim 13, or amend the claims 1 and 13 to place the claim 13 in proper dependent form. The dependent claim 13, discloses a method wherein said steps (a)-(f) are performed in response to receiving a request for the location of a user equipment. However, there is no steps (a)-(f) in the independent claim 1, the claim 1 just comprises step (a)-(e).

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-20, are rejected under 35 U.S.C. 102(e) as being anticipated by Keranen et al. (US Patent 6,681,099 B1).

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Regarding claim 1, Keranen teaches a method for determining a geographic location of user equipment via a location service server in a wireless network, comprising the steps of:

(a) determining a value of the transmission timing delay of the user equipment (col 3 lines 20-25);

(b) measuring a round trip time of a radio signal between a connected transceiver node and the user equipment (col 3 lines 55-57), wherein the connected transceiver node is in active communication with the user equipment (col 5 lines 1-20);

(c) measuring a round trip time of a radio signal between at least one other transceiver node and the user equipment, wherein the at least one other transceiver node is not connected to the user equipment (col 4 lines 63-67);

(d) calculating a distance between the user equipment (UE) and the connected transceiver node and between the user equipment and each of the at least one other transceiver node using the transmission timing delay determined in said step (a) (col 4 lines 52-62); and

(e) determining the location of the user equipment using the distances calculated in said step (d) (col 4 lines 50-62).

Regarding claim 2, Keranen teaches a method wherein said step (a) comprises determining the transmission timing delay by using the connected transceiver node to query the user equipment (col 4 lines 30-51).

Regarding claim 3, Keranen teaches a method wherein said step (a) comprises determining the transmission timing delay by setting the transmission timing delay to equal a default value  $T_{sub.0}$  (col 2 lines 12-25).

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Regarding claim 4, Keranen teaches a method comprising the step of requesting a connection between the user equipment and a selected transceiver node before said step (a) if the user equipment is not connected to any transceiver node (col 4 lines 9-15, when the UE handoffs to the new node, it connects to the new node and disconnect from the old node), and connecting the selected transceiver node with the user equipment so that the selected transceiver node comprises the connected transceiver node (col 4 lines 9-19).

Regarding claim 5, Keranen inherently teaches a method wherein said step of requesting a connection comprises requesting, by the selected transceiver node, a return trip time measurement via a random access channel to connect the user equipment to the selected transceiver node. Examiner explains that when a mobile attempts to access a system, however, such propagation delay information typically is unavailable (the node is not connected).

Accordingly, conventional time-division-multiplexed systems commonly utilize a random access channel\_(RACH) to receive an access request burst from the mobile unit and use propagation delay gained from the received RACH burst to determine an appropriate timing advance for the terminal. Upon powering up or handoff to a new base station, the mobile searches for and receives a control channel from the base station that provides an initial timing reference. To initiate use of the base station, the mobile unit then transmits a RACH burst at a predetermined time in relation to the control channel timing reference. Upon receipt of the RACH burst, the base station can determine round-trip time delay based on the delay between the transmission of the control channel timing reference and the receipt of the RACH burst. The base station uses

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this round-trip time delay to determine an appropriate timing advance for the mobile unit (see cited reference Asokan US Patent Number 6,663,559).

Regarding claim 6, Keranen teaches a method wherein said step (c) comprises comparing a time-of-arrival of an uplink transmission from said UE at the non-connected (see rejection of claim 5) transceiver nodes to the time-of-arrival of the uplink transmission at the connected transceiver node, and determining the propagation time of each of the non-connected transceiver nodes (see claim 5, for non-connected node) therefrom (col 5 lines 5-25).

Regarding claim 7, Keranen teaches a method wherein said step (c) further comprises determining a round trip time for at least two other transceiver nodes which are not connected (the nodes after the mobile hand off, will be not connected to the old node, or before the handoff is not connected to the new node) to the user equipment (col 5 lines 54-56).

Regarding claims 8,18, Keranen teaches a method wherein said step (e) comprises determining the user equipment location by mathematically generating a circle around the connected transceiver node and each of the at least two other transceiver nodes (col 5 lines 25-34), wherein the radius of each circle is the distance of the user equipment to the respective transceiver node determined in said steps (c) and (d), and determining an intersection of the circles (col 5 lines 34-35).

Regarding claim 9, Keranen teaches a method wherein said step of determining the intersection of the circles comprises iteratively increasing or

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iteratively decreasing the radii of each of the circles until an intersection point is determined (col 5 lines 54-67, col 6 lines 1-8). There are certain situations when the UE timing difference  $t_3 - t_2$  may be different from the defined value. These situations occur when the UE is moving toward or away from a node or BTS, the propagation paths are varying, and there is a soft handover in which a UE is switched from one cell to another (col 4 lines 1-15). Therefore, for determining the intersection of the circles comprises iteratively increasing or iteratively decreasing the radii of each of the circles until an intersection point is determined.

Regarding claims 10,16, Keranen teaches a method wherein said step (e) comprises determining the user equipment location by mathematically generating a circle around the connected transceiver node and each of the at least one other transceiver node (col 5 lines 25-34), wherein the radius of each circle is the distance of the user equipment to the respective transceiver node determined in said step (c) and (d) (col 5 lines 25-34, and determining an angle of arrival of radio signals used for said steps (c) (col 5 lines 53-67, col 6 line 1) and (d) at the connected transceiver node and the at least one other transceiver node (col 6 lines 1-3).

Regarding claim 11, Keranen teaches a method wherein said step (b) further comprises determining a sector of the area of coverage of the connected transceiver node in which the user equipment is located (col 5 lines 54-62).

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Regarding claim 12, Keranen teaches a method wherein said step (c) further comprises searching, by the at least one other transceiver node (base station), within the sector determined in said step (b) (col 5 lines 58-67, col 6 lines 1-8). Examiner explains that when a mobile attempts to access a system. Accordingly, conventional cellular system searching for a new node /new base station upon powering up or handoff to a new base station, the mobile searches for and receives a control channel from the base station.

Regarding claim 13, Keranen teaches a method wherein said steps (a)-(e) are performed in response to receiving a request for the location of a user equipment (col 4 lines 30-51).

Regarding claim 14, Keranen teaches a wireless communication system comprising a core network (col 3 lines 20-25),

a plurality of radio network controllers (col 3 lines 36-39),

a plurality of wireless transceiver nodes for communicating with a user equipment located in a geographical area supported by said transceiver nodes (col 3 lines 29-36), and

a location services server for determining a location of the user equipment (Mobile terminal), said location services server (col 3 lines 20-25) comprising:

means for determining a round trip time for a radio signal from between a user equipment and a connected transceiver node in communication with the user equipment including means for measuring a time from a beginning of transmission of a downlink transmission signal from the connected transceiver node to the reception of an uplink transmission signal from the user



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equipment to the connected transceiver node in response to the downlink transmission signal (col 3 lines 62-65);

means for determining a round trip time between the user equipment (UE) and at least one other non-connected transceiver node, which is not in communication with the user equipment (col 4 lines 2-5). The time difference  $t_3 - t_2$ , are the time that UE requires between receiving the downlink transmission and transmitting the uplink at this time node is not in communication with the UE yet;

means for determining the distance of the user equipment from the connected transceiver node and the at least one other non-connected transceiver node (col 4 lines 5-15), the time difference  $t_3 - t_2$ , are the time that UE requires between receiving the downlink transmission and transmitting the uplink at this time node is not in communication with the UE yet; and

means for determining a location of the user equipment from the distances of the user equipment from each of the nodes (col 4 lines 2-51).

Regarding claims 15,17, Keranen teaches a wireless communication system wherein said means for determining a round trip time between the user equipment and plurality of other non-connected transceiver node comprises means for receiving an uplink transmission signal from the user equipment at the at least one other non-connected (during the handoff) transceiver node which is not in active communication with the user equipment and means for comparing the reception times at the at least one other non-connected transceiver node with the reception time at the connected transceiver node (col 3 lines 38-57, col 4 lines 2-22).

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Regarding claim 16, Keranen teaches a wireless communication system further comprising means for determining an angle of arrival (AOA) of transmission signals at the connected transceiver node in active communication and the at least one other transceiver node (col 5 lines 65-67, col 6 lines 1-9).

Regarding claim 19, Keranen teaches a wireless communication system further comprising means for determining whether the radii determined are one of too large and too small (col 4 lines 9-22, col 5 lines 25-35). In order to generate a circle around each of the active nodes and calculates the intersection of the circles, when the UE is moving toward or away from the node or BTS the propagation path are varying, and there is a soft handover in which UE is switched from one cell to another. During the movement of the UE toward or away from the BTS the propagation delay between  $t_1$  and  $t_2$  changes. The amount that  $t_3$  can change in each increment is limited, if the movement is too fast, the UE is prevented from adjusting the  $t_3$  time fast enough because of the increment limit. Therefore, the radius that determined at  $t_3$  is either too small or too large.

Regarding claim 20, Keranen teaches a wireless communication system wherein said means for determining a location comprises means for iteratively decreasing the radii until an intersection point of the circles is found when the radii are too large and means for iteratively increasing the radii until an intersection point of the circles is found when the radii are too small (col 5 lines 25-35). There are certain situations when the UE timing difference  $t_3 - t_2$  may be different from the defined value. These situations

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occur When the UE is moving toward or away from a node or BTS, the propagation paths are varying, and there is a soft handover in which a UE is switched from one cell to another (col 4 lines 1-15). Therefore, during the process of determining an intersection of the circles, the radius of the circles are either too large or too small until the exact point of the intersection of the circles is found.

### **Conclusion**

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Johnnsson** (US Patent 2002/0068567) disclose using statistically ascertained position for starting synchronization searcher during diversity handover

**Gihousen** (US Patent 5,943,014) disclose using a signal with increased power for determining the position of a mobile subscriber in a CDMA cellular telephone system

**Carlson et al.** (US Patent Number 6,665,332 B1) disclose CDMA geolocation system

**Gihousen** (US Patent Number 6,195,046 B1) disclose base station with slave antenna for determining the position of a mobile subscriber in a CDMA cellular telephone system

**Asokan et al.** (US Patent Number 6,633,559) disclose apparatus and method for extended base station range using staggered uplink frame structures

6. Any responses to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9306, (for formal communications indented for entry)

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Or:

(703) 308-6306, (for informal or draft communications, please label ☐PROPOSED☐ or ☐DRAFT☐)

Hand-delivered responses should be brought to Crystal Park II.  
2121 Crystal Drive, Arlington. Va., sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Melody Mehrpour whose telephone number is (703) 308-7159. The examiner can normally be reached on Monday through Thursday (first week of bi-week) and Monday through Friday (second week of bi-week) from 6:30 a.m. to 5:00 p.m.

If attempt to reach the examiner are unsuccessful the examiner's supervisor, Marsha Banks-Harold be reached (703)305-4379.

NM

Feb 13, 2004

*Marsha D Banks-Harold*  
MARSHA D. BANKS-HAROLD  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600